

SEVENTH DAY  
(Thursday, January 23, 1975)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, and Williams.

A quorum was announced present.

The Reverend Dr. Joe E. Trull, Crestview Baptist Church, Austin, Texas, offered the invocation as follows:

Swedish statesman, Dag Hammarskjold, was secretary general of the United Nations from 1953 until his untimely death in 1961.

For many, the most moving thing in his book *Markings*, were his prayers. Allow me to share one of them with you this morning as we pray:

"Hallowed be Thy name, not mine,  
Thy Kingdom come, not mine.  
Thy will be done, not mine,  
Give us peace with Thee; Peace with men; Peace with ourselves.  
And free us from all fear.' Amen.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE

Hall of the House of Representatives  
Austin, Texas, January 23, 1975

Honorable W. P. Hobby  
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

**S.C.R. 8**, Commending WOAI-TV and its successor KMOL-TV, and Edward V. Cheviot, Vice-president and General Manager.

S.C.R. 9, In memory of Billy Eugene Hunt.

Respectfully submitted,  
DOROTHY HALLMAN  
Chief Clerk, House of Representatives

#### REPORTS OF STANDING COMMITTEES

Senator Moore submitted the following reports for the Committee on State Affairs:

S.J.R. 3 (Amended)

S.B. 11

#### SENATE BILLS ON FIRST READING

The following bills were introduced, read first time and referred to the Committee indicated:

By Senators Clower, Doggett, Schwartz and Gammage:

**S.B. 23**, A bill to be entitled An Act defining public utilities and providing for their regulation; providing for the creation of the Texas Public Utilities Commission and for the election of commissioners and the fixing of their qualifications and compensation; prescribing their duties and powers and the manner in which the jurisdiction and power herein conferred shall be exercised; providing for employees and salaries; providing for regulation of rates and service and division of revenue; providing for hearings and other procedures for regulation; providing for appeals and the procedures in the courts; providing an option for continued regulation by municipalities; defining certain offenses and providing penalties; providing for territories and services; providing for the repeal of Articles 1119, 1121, 1122, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1268, 1423, 1424, 1425, 6058, Revised Civil Statutes of Texas, 1925, as amended; and Chapter 397, Acts of the 63rd Legislature, Regular Session, 1973 (Article 1446(b), Section 4, Vernon's Texas Civil Statutes); and Section 1, Chapter 31, Acts of the 53rd Legislature, 1st Called Session, 1954 (Article 6050, Sections 4 and 4a, Vernon's Texas Civil Statutes); and all other laws and parts of laws in conflict herewith; and declaring an emergency.

To Committee on State Affairs.

By Senators Andujar, Gammage and Ogg:

**S.B. 63**, A bill to be entitled An Act relating to the elements and prosecution of certain sexual offenses; prohibiting the publishing of the identity of victims of sexual offenses in certain circumstances; amending Section 21.01, Penal Code, to define consent; amending Subsection (b), Section 21.02, Penal Code, relating to the issue of consent; amending Subsection (a), Section 21.03, Penal Code, relating to aggravated rape; amending Subsection (b), Section 21.04, Penal Code relating to consent; amending Subsection (a), Section 21.05, Penal Code, relating to aggravated sexual abuse; amending Article 12.01, Code of Criminal Procedure, 1965, as amended, relating to the time that indictments for sexual offenses may be presented; adding a Section 21.13, Penal Code, relating to the evidence of previous sexual conduct of the victim; adding an Article 38.07, Code of Criminal Procedure, 1965, relating to testimony in corroboration of victim; adding Articles 36.025 and 16.055, Code of Criminal Procedure, 1965, relating to the exclusion of bystanders in certain hearings; adding a Chapter 49, Penal Code, relating to the publishing of the identity of victims of sexual offenses; adding an Article 1914a, Revised Civil Statutes of Texas, 1925, authorizing publication of the identity of a victim of sexual offenses; providing

penalties; and declaring an emergency.

To Committee on Jurisprudence.

By Senator Farabee:

**S.B. 75**, A bill to be entitled An Act reappropriating the unencumbered balances in certain line item appropriations made to the Texas Schools for the Blind and Deaf (under the State Board of Education); and declaring an emergency.

To Committee on Finance. (Submitted by the Governor as an emergency.)

By Senator Farabee:

**S.B. 76**, A bill to be entitled An Act to supplement the appropriation to the Texas State Board of Examiners of Psychologists; and declaring an emergency.

To Committee on Finance. (Submitted by the Governor as an emergency.)

By Senator Farabee:

**S.B. 77**, A bill to be entitled An Act relating to the redemption of unused mobile home seals of approval; amending Subsection (c), Section 11, Texas Mobile Homes Standards Act (Article 5221f, Vernon's Texas Civil Statutes); making an appropriation; and declaring an emergency.

To Committee on State Affairs.

By Senator Sherman:

**S.B. 78**, A bill to be entitled An Act to supplement the appropriation from the Psychologists Licensing Fund (No. 024) to the Texas State Board of Examiners of Psychologists for consumable supplies and materials, current and recurring operating expense (excluding travel) and including examination expense and capital outlay for the year ending August 31, 1975, by the amount of \$8,000 to pay for a deficit resulting from increased costs of examinations and moving; and declaring an emergency.

To Committee on Finance. (Submitted by the Governor as an emergency.)

By Senator Patman:

**S.B. 79**, A bill to be entitled An Act relating to the terms of the 27th, 146th, and 169th District Courts; amending Subsection (a), Subdivision 27, Article 199, Revised Civil Statutes of Texas, 1925, as amended; amending Section 3, Chapter 490, Acts of the 56th Legislature, Regular Session, 1959, as amended (Subdivision 146, Article 199, Vernon's Texas Civil Statutes); amending Subsection (b), Section 3.003, Judicial Districts Act of 1969 (Article 199a, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Williams:

**S.B. 80**, A bill to be entitled An Act relating to veteran's preference in state appointment or employment; amending Section 1, Chapter 357, Acts of the 49th Legislature, Regular Session, 1945, as amended (Article 4413(31), Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on State Affairs.

By Senator Williams:

**S.B. 81**, A bill to be entitled An Act relating to exempting persons 65 years of age and older and certain disabled veterans of the armed services from the payment of entrance fees to state parks, historic sites, or other recreational areas operated by the Parks and Wildlife Department; and declaring an emergency.

To Committee on State Affairs.

By Senators Williams and Clower:

**S.B. 82**, A bill to be entitled An Act relating to exempting certain disabled veterans of the armed services of the United States from the payment of hunting and fishing license fees; amending Section 8, Chapter 370, Acts of the 55th Legislature, Regular Session, 1957, as amended (Article 895c, Vernon's Texas Penal Code), and Section 2A, Chapter 239, Acts of the 55th Legislature, Regular Session, 1957, as amended (Article 4032b-1, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on State Affairs.

By Senator Doggett:

**S.B. 83**, A bill to be entitled An Act relating to certain pension benefits and allowances for certain firemen or their survivors; amending Sections 6C and 6C-1 and adding Subsection (d) to Section 7D and Subsection (k) to Section 12B, Chapter 125, Acts of the 45th Legislature, Regular Session, 1937, as amended (Article 6243e, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on State Affairs.

By Senator Brooks:

**S.B. 84**, A bill to be entitled An Act relating to educational programs for gifted and talented students; amending Subchapter A, Chapter 11, Texas Education Code, by adding Section 11.19; and declaring an emergency.

To Committee on Education.

By Senators Aikin, Snelson and Mauzy:

**S.B. 85**, A bill to be entitled An Act amending provisions of Chapter 3 of the Texas Education Code relating to the Teacher Retirement System; amending Section 3.25 of the Code with regard to the interest or reinstatement fees charged on deposits for waived service, reinstatement of withdrawn accounts, and reinstatement of membership by a retired member and with regard to the length of subsequent service required to reinstate a withdrawn account; amending Section 3.26 of the Code to provide a fee for crediting out-of-state service; amending Section 3.33 of the Code regarding the designation of beneficiary for benefits payable upon a member's death and the distribution of such benefits if no designated beneficiary is in existence at the time of such death; amending Section 3.34 of the Code to remove limits on death benefits based upon the beneficiary's relationship to the member; amending Section 3.37 of the Code to eliminate the reduction of death benefits for beneficiaries of deceased members retired on a disability; amending Section 3.37 of the Code to increase the permissible length of employment after retirement in the public schools of Texas without loss of retirement benefits; amending Section 3.52 and 3.55 of the Code to increase the rate of interest paid on member accounts; amending Section 3.55 of the Code regarding transfers from the interest account; amending Section 3.57 of the Code to provide an interest fee for delinquent contributions; declaring an emergency, declaring effective dates for the provisions of this Act, and providing for severability of the Act. (Submitted by Governor as emergency.)

To Committee on Education.

By Senators Moore, Andujar and Traeger:

**S.B. 86**, A bill to be entitled An Act relating to the licensing of cosmetologists; amending Chapter 1036, Acts of the 62nd Legislature, Regular Session, 1971, as amended (Article 8451a, Vernon's Texas Civil Statutes), by amending Section 1, Subsections (c) and (d) of Section 13, Subsection (c) of Section 14, Subsection (c) of Section 15, Subsections (c) and (d) of Section 16, Subsections (c) and (d) of Section 17, Subsections (a) and (d) of Section 18, Section 21, Subsections (a) and (d) of Section 38, Section 40, and Subsection (c) of Section 46, and by adding Sections 15A and 18A; and

declaring an emergency.

To Committee on State Affairs.

By Senator Moore:

**S.B. 87**, A bill to be entitled An Act creating the County Court at Law of Brazos County; making other provisions relative to the court; relating to the jurisdiction of the County Court of Brazos County; amending Chapter 2, Acts of the 56th Legislature, Regular Session, 1959; and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Mengden:

**S.B. 88**, A bill to be entitled An Act relating to regulation of the sale of certain subdivided land; providing a penalty; and declaring an emergency.

To Committee on Economic Development.

By Senators Hance, Santiesteban and Lombardino:

**S.B. 89**, A bill to be entitled An Act relating to weight limits for certain vehicles; amending Section 5, Chapter 42, General Laws, Acts of the 41st Legislature, 2nd Called Session, 1929, as amended (Article 6701d-11, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Economic Development.

By Senators Doggett and Moore:

**S.B. 90**, A bill to be entitled An Act relating to the Employees Retirement System of Texas; amending Chapter 352, Acts of the 50th Legislature, 1947, as amended (Article 6228a, Vernon's Texas Civil Statutes), as follows: amending Subsection D, Section 3, providing for termination of membership; amending Subdivision 2, Subsection A, Section 5, providing for continuing membership with retirement eligibility after a certain period of service; amending Subdivision 1, Subsection E, Section 5, providing for refund of contributions; amending Subdivision 4, Subsection E, Section 5, providing for forfeiture of inactive accounts; amending Subsection B, Section 7, providing for transfer of interest to various system funds; amending Paragraph (c), Subdivision 1, Subsection A, Section 8, providing for computation and crediting of interest to member accounts; amending Subdivision 4, Subsection A, Section 8, providing for an interest fund; adding a Subsection C to Section 9, to provide for lump sum payments on retirement for certain accumulated leave; and declaring an emergency.

To Committee on State Affairs.

By Senator Mengden:

**S.B. 91**, A bill to be entitled An Act relating to the state and local regulation of public utilities; providing a penalty; and declaring an emergency.

To Committee on State Affairs.

By Senator Schwartz:

**S.B. 92**, A bill to be entitled An Act relating to the establishment, operation and regulation of health maintenance organizations; and declaring an emergency.

To Committee on Human Resources.

By Senator Schwartz:

**S.B. 93**, A bill to be entitled An Act relating to making an anatomical gift by executing a statement on the reverse side of a driver's license; adding Section 11B, Chapter 173, Acts of the 47th Legislature, Regular Session, 1941, as amended (Article 6687b, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on Human Resources.

By Senator Schwartz:

**S.B. 94**, A bill to be entitled An Act relating to enforcement of certain contracts involving the waiver of the right to compensation under the Workmen's Compensation Act; amending Section 14, Article 8306, Revised Civil Statutes of Texas, 1925; and declaring an emergency.

To Committee on Jurisprudence.

#### SENATE RESOLUTION 49

Senator Aikin offered the following resolution:

WHEREAS, One of the most dedicated and efficient employees in state government, Mrs. Margaret W. Behrens, personal secretary to Lieutenant Governor William P. (Bill) Hobby, has just been acclaimed as Secretary of the Year by the Tower Lights Chapter of the National Secretaries Association International; and

WHEREAS, Mrs. Behrens, who came to Austin from her home in Uvalde early in her professional career, received the highest honor given a member by her chapter at a banquet on Wednesday evening, January 22, 1975; and

WHEREAS, Her present position, which she also held under former Lieutenant Governor Ben Barnes beginning with his inauguration in January, 1969, involves the coordination of matters requiring personal attention of the Lieutenant Governor, and members of the Senate have frequently been recipients of the helpful assistance which Mrs. Behrens is always ready and able to give; and

WHEREAS, Mrs. Behrens received her certification as a Certified Professional Secretary in 1961, and her professional experience has included employment with many of the state's highest elected officials: in addition to her position with former Lieutenant Governor Barnes while he held state government's second highest office, Mrs. Behrens served as his secretary during his tenure as Speaker of the House of Representatives. She worked prior to that appointment as secretary to the Honorable W. S. Birdwell, Jr., Commissioner of the Texas Employment Commission; was secretary to Senator Martin Dies, Jr., during the 58th Session of the Legislature; was employed by the Honorable Price Daniel during his service as Attorney General of Texas, as Governor of Texas, and as United States Senator; and

WHEREAS, The Senate of the State of Texas takes great pride in public employees whose capabilities are outstanding, and members are particularly pleased when such an employee is singled out for well-merited recognition; now, therefore, be it

RESOLVED by the Senate of the 64th Legislature of the State of Texas, That Mrs. Margaret W. Behrens be and is hereby congratulated on the distinguished service and professional ability which led to her selection as Secretary of the Year by the Tower Lights Chapter of the National Secretaries Association International; and, be it further

RESOLVED, That an official copy of this resolution, under the Seal of the Senate, be prepared for Mrs. Behrens as an expression of appreciation to her from all members of the Senate for her exceptional ability, her dedication to efficient state government, and her always friendly and courteous assistance to members of the Senate and the general public.

AIKIN  
ADAMS

The resolution was read.

On motion of Senator Creighton and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Adams, the resolution was adopted.

The President then presented Mrs. Behrens, who addressed the Senate.

#### SENATE RESOLUTION 50

Senator McKinnon offered the following resolution:

WHEREAS, The Texas A&I University Football Team, the "Javelinas," is the 1974 NAIA Division I National Champion with a remarkable season record of 13 wins and no losses, the best record of any university football team in the State of Texas; and

WHEREAS, Winners of the Lone Star Conference and recipient of the Dwight D. Eisenhower Trophy, symbol of the best NAIA football team for 1974, the Texas A&I Javelinas also achieved their fourth victory in a NAIA championship bowl; and

WHEREAS, The tremendous success of the Javelinas can be attributed to the dedication and athletic talents of all members of the team and to the excellent leadership of Coach Gil Steinke, who, this season, was named the Lone Star Conference Coach of the Year, the NAIA District and Area Coach of the Year, and the NAIA National Football Coach of the Year for the second time; and

WHEREAS, Honors were also bestowed on individual members of this outstanding team. Fullback Don Hardeman, Lone Star Conference Back of the Year, was named to the NAIA, American Football Coaches Association, and Time Magazine All-American first teams; and Linebacker Jerry Janik, Lone Star Conference Lineman of the Year, was named to the NAIA All-American first team. With a total of 18 members receiving post-season honors this year, the 1974 Javelinas became the most honored team in the school's history; and

WHEREAS, The people of Texas are justly proud of the Texas A&I University football program, consistently one of the most successful in the field of athletic competition; now, therefore, be it

RESOLVED, That the Senate of the 64th Legislature congratulate Coach Gil Steinke and all members of the Texas A&I University Football Team on their national championship and their many collective and individual achievements during the 1974 season; and, be it further

RESOLVED, That official copies of this resolution be prepared for Coach Steinke and the Javelina team as an expression of esteem from the Senate of the State of Texas.

The resolution was read.

On motion of Senator Creighton and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator McKinnon, the resolution was adopted.

The President then recognized Senator McKinnon, who presented as Guests of the Senate Coach and Mrs. Gil Steinke and Don Hardeman.

Senator McKinnon asked unanimous consent that Coach Steinke be granted permission to proceed to the President's Rostrum. There was no objection.

Coach Steinke presented the President and Senator McKinnon statues of javelinas on behalf of Texas A&I University.

**MESSAGE FROM THE HOUSE**

Hall of the House of Representatives  
Austin, Texas, January 23, 1975

Honorable W. P. Hobby  
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

**H.C.R. 18**, In memory of Clifford R. Baker.

**S.C.R. 10**, In memory of James S. Abercrombie.

**S.C.R. 12**, In memory of Judge James Garrison Strong.

Respectfully submitted,  
**DOROTHY HALLMAN**  
Chief Clerk, House of Representatives

**MESSAGE FROM THE GOVERNOR**

The following message from the Governor was read and was filed with the Secretary of the Senate:

**January 23, 1975**

The Honorable William P. Hobby  
Lieutenant Governor  
President of the Senate  
Austin, Texas

The Honorable Bill Clayton  
Speaker of the House of Representatives  
Austin, Texas

Honorable Members of the Legislature  
Austin, Texas

Honorable Lt. Governor, Honorable Speaker and Honorable Members of the Legislature:

Today I am submitting as an emergency matter the accompanying measure under the provisions of Article III, Section 5, of the Constitution of the State of Texas.

I urge your prompt consideration and enactment of this measure.

Respectfully submitted,  
**DOLPH BRISCOE**  
Governor of Texas

Austin, Texas  
January 23, 1975



TO THE MEMBERS OF THE SIXTY-FOURTH LEGISLATURE, REGULAR SESSION:

I have carefully considered the plight of those persons retired from State service. I have worked with professional groups, the Teacher Retirement System and the Employees Retirement System to develop an appropriate solution for the inflation plagued retirees. Based upon my examinations, I have concluded that one of the most extreme emergencies which exists in the State of Texas today is the need to increase benefits for persons retired on fixed income annuities under these systems. Inflation has decreased their purchasing power by an unbelievable degree. I have also concluded that it is of utmost importance to continue to insure that both retirement systems remain financially and actuarially sound. Recent actuarial studies clearly indicate that in order to increase benefits for retired members on a permanent basis, it is necessary that the Legislature appropriate funds to pay such increases in order to protect the financial integrity of these systems. It is unfortunate that the present Constitution of the State of Texas does not permit the Legislature to appropriate funds to meet the total cost of such increases in benefits.

The urgency of this situation causes me to submit as emergency matters, pursuant to the provisions of Section 5, Article III of the Constitution of the State of Texas, the following:

1. The enactment of a resolution to amend the Constitution of the State of Texas at the earliest possible date in order to raise the limit on amounts that can be appropriated by the Legislature to pay retirement benefits, to revise and consolidate provisions relating to state and local retirement systems and programs and allow increased retirement benefits.

2. The enactment of legislation which would:

a. provide immediate increases, in anticipation of a Constitutional amendment, in benefits for persons retired under the State Employees Retirement System and the Teacher Retirement System;

b. appropriate funds to the retirement systems to the greatest extent possible under present Constitutional authority;

c. appropriate sufficient funds from the General Revenue Fund to finance the full cost of the increases in benefits contingent upon voter approval of a Constitutional Amendment to permit such expenditures; and

d. provide that such increased benefits would automatically terminate if a Constitutional Amendment, authorizing such expenditures, fail to pass at an election.

With an emergency appropriation of \$4,000,000 to the Teachers Retirement System for previous contributions not matched by the State, the two retirement systems have assured me funds would be available to finance the increases in benefits on a temporary basis pending the adoption of a Constitutional Amendment. This assurance for financing these increased benefits on an interim basis is contingent upon you immediately enacting a resolution to amend the Constitution, thereby permitting an election at the earliest possible date, and providing an appropriation to cover the full cost of the increased benefits.

I have also been assured by officers of both systems that should the Constitutional Amendment not be approved by the voters, the benefits paid during the interim period would not cause the retirement systems to be financially or actuarially unsound. It must be understood, however, that if the Constitutional Amendment does not pass, the emergency benefits would be terminated automatically. I believe that the people of Texas would welcome the opportunity to vote on an amendment to the present Constitution which would permit the Legislature to meet its obligations to these most worthy retired citizens.

I urgently request your consideration of these emergency matters.

Respectfully submitted,  
DOLPH BRISCOE  
Governor of Texas

#### MESSAGE FROM THE GOVERNOR

The following message received from the Governor was read and was referred to the Committee on State Affairs, Subcommittee on Nominations:

Austin, Texas  
January 23, 1975

#### TO THE SENATE OF THE SIXTY-FOURTH LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment as an emergency matter under Article III Section 5 of the Constitution:

To be Secretary of State of the State of Texas: For a term at the pleasure of the Governor: The Honorable Mark White of Austin, Travis County is being reappointed.

I ask the advice, consent and confirmation of the Senate with respect to the following appointment as an emergency matter under Article III Section 5 of the Constitution: To be Adjutant General of the State of Texas: For a two-year term to expire January 16, 1977: The Honorable Thomas S. Bishop of Austin, Travis County is being reappointed.

Respectfully submitted,  
DOLPH BRISCOE  
Governor of Texas

#### COMMUNICATIONS FROM TEXAS EDUCATION AGENCY

The following communication from the Texas Education Agency was read and was referred to the Committee on Education:

**June 17, 1974**

Honorable William P. Hobby  
Lieutenant Governor  
Senate Chamber  
Capitol Building  
Austin, Texas 78711

Dear Governor Hobby:

At its meeting on February 9, 1974, the Texas State Board of Education appointed Dr. M. L. Brockette as the State Commissioner of Education.

The appointment of Dr. Brockette is to be effective July 1, 1974 through May 31, 1977, subject to confirmation by the Senate, to fill the unexpired term created by the retirement of Dr. J. W. Edgar.

We shall appreciate your submission of this appointment to the Senate.

Very truly yours,  
Ben R. Howell, Chairman  
State Board of Education

cc Charles A. Schnabel  
Secretary of the Senate

The following communications from the Texas Education Agency were read and were referred to the Committee on State Affairs Sub-Committee on Nominations:

Mr. Charles A. Schnabel  
Secretary of the Senate  
State of Texas  
Capitol Building  
Austin, Texas 78711

Dear Mr. Schnabel:

I am submitting to you for confirmation by the Senate appointments made by the State Board of Education on January 12, 1974 to The Advisory Council for Technical-Vocational Education in Texas. Terms of office of each is designated.

These appointments were made by the Board in compliance with Section 31.12 of the Texas Education Code. All appointments were recommended by Governor Briscoe.

J. W. Edgar  
Commissioner of Education

cc Senator Mike McKinnon  
Chairman, Nominations Committee  
The Senate of Texas

**The Advisory Council for  
Technical-Vocational Education in Texas**

**Appointments**

Member actively engaged in technical training institutes: Milton J. Schiller, Drawer 719, Cameron, Texas 76580 (Replacing Morris S. Webb--Term to expire August 31, 1979).

Two members representing state industrial and economic development agencies: Mario Yzaguirre, 224 Calle Retama, Brownsville, Texas 78520 (Replacing John L. Cockrill--Term to expire August 31, 1979).

**Reappointments**

Member having special knowledge, experience, or qualifications with respect to the administration of state and local technical-vocational education programs but who is not involved directly in the administration of such programs: Marcos A. Vann, Regional Director, Office of Civil Rights, General Services Administration, 819 Taylor Street, Fort Worth, Texas 76102 (Term to expire August 31, 1979).

Four members representing a cross section of industrial, business, professional, agricultural, and health service occupations: Roy B. Davis, 1901 - 29th Street, Lubbock, Texas 79411 (Term to expire August 31, 1979).

Member having special knowledge, experience, or qualifications with respect to the special educational needs of the physically or mentally handicapped persons: Mrs. Dorothy Robinson, P. O. Box 1212, Palestine, Texas 75801 (Term to expire August 31, 1979).

**June 19, 1974**

Mr. Charles A. Schnabel  
Secretary of the Senate  
State of Texas  
Capitol Building  
Austin, Texas 78711

Dear Mr. Schnabel:

The State Board of Education on June 18, 1974, acting under authority of Section 3.59(c), Texas Education Code, as amended by House Bill 89, Acts of the Sixty-third Legislature, appointed the following person to fill the vacancy created by the resignation of Mr. Morgan Jones on the State Board of Trustees, Teacher Retirement System: Mr. Robert Stewart, Jr., President, Bank of the Southwest, P. O. Box 2629, Houston, Texas 77001.

Mr. Stewart will serve for the remainder of an unexpired term ending on August 31, 1977.

This appointment is submitted to you for transmittal to the Senate for confirmation.

Very truly yours,  
J. W. Edgar  
Commissioner of Education

cc Mark W. White, Jr.  
Secretary of State

Leonard Prewitt  
Executive Secretary  
Teacher Retirement System

Robert Stewart, Jr.

**COMMUNICATIONS FROM SUPREME COURT OF TEXAS**

The following communications from the Supreme Court of Texas were read and were referred to the Committee on State Affairs, Sub-Committee on Nominations:

**January 15, 1975**

The Honorable Charles Schnabel  
Secretary of the Senate  
Capitol Building  
Austin, Texas 78711

Dear Mr. Schnabel,

I hereby reappoint Mr. William H. Skelton of Travis County to the Board of Pardons and Paroles for a six-year term beginning, as I understand it, on February 1,

1975.

As you will recall, Mr. Skelton was appointed by my predecessor, the Honorable Robert W. Calvert; and it is my opinion that he has done a good job as Chairman of the Board.

The appointment is subject, of course, to the confirmation of the Senate. I am sending a copy of this letter to the Honorable Lloyd Doggett, the Senator who represents Travis County, among others.

Respectfully submitted,  
Joe R. Greenhill

.cc: Hon. Mark White  
Secretary of State

Hon. Lloyd Doggett  
State Senator

**September 9, 1974**

Honorable Charles Schnabel  
Secretary of the Senate  
Capitol Building  
Austin, Texas 78711

Dear Mr. Schnabel,

Attached for your information is a copy of a letter to The Honorable Mark White, Secretary of State, concerning the appointment of The Honorable J. M. Patterson, Jr., to serve as a member of the Board of Trustees of the Employees Retirement System. This appointment is subject to Senate confirmation.

Sincerely yours,  
Joe R. Greenhill

#### **CO-AUTHORS OF SENATE BILL 59**

On motion of Senator Ogg and by unanimous consent, Senators Aikin, Moore, Schwartz, Longoria, Williams, Harrington, Clower, Brooks, Gammage, Mengden, Doggett, Farabee, Hance, McKnight and Andujar will be shown as co-authors of **S.B. 59**.

#### **CO-AUTHORS OF SENATE BILL 11**

On motion of Senator McKinnon and by unanimous consent, Senator Williams will be shown as co-author and Senators Adams, Aikin, Andujar, Bracklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson and Traeger will be shown as co-sponsors of **S.B. 11**.

#### **SENATE BILL 35 ON SECOND READING**

On motion of Senator Mauzy and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment (the bill having been submitted by the Governor as an

emergency):

**S.B. 35**, A bill to be entitled An Act abolishing the scholastic census; repealing Chapter 14, Texas Education Code; and declaring an emergency.

The bill was read second time and was passed to engrossment.

#### **SENATE BILL 35 ON THIRD READING**

Senator Mauzy moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 35** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

#### **NOTICES OF INTENT**

The following Notices of Intent were filed with the Secretary of the Senate:

Monday, January 27, 1975:

**S.J.R. 3** - Senator Doggett

**S.B. 22** - Senator Doggett

**S.B. 50** - Senator Sherman

#### **MEMORIAL RESOLUTIONS**

**H.C.R. 18** - Memorial resolution for Clifford R. Baker.

**S.C.R. 13** - By Senator Hance: Memorial resolution for The Honorable Pat S. Moore.

**S.R. 46** - By Senators Ogg and Williams: Memorial resolution for Don Wilson.

**S.R. 47** - By Senators Meier and McKnight: Memorial resolution for Arch H. Rowan.

**S.R. 48** - By Senator Snelson: Memorial resolution for James N. Allison, Sr.

**S.R. 51** - By Senator Brooks: Memorial resolution for Isaac Arnold.

**S.R. 60** - By Senator Doggett: Memorial resolution for E. B. "Kin" Kinsey.

**S.R. 63** - By Senator Adams: Memorial resolution for Zack Brittain, Sr.

**S.R. 65** - By Senator Adams: Memorial resolution for Woodrow S. Walker.

**S.R. 66** - By Senator Adams: Memorial resolution for Mrs. Bonita Dess Woodell.

#### **WELCOME AND CONGRATULATORY RESOLUTIONS**

**S.C.R. 15** - By Senator Brooks: Commending Everett Williams.

**S.R. 52** - By Senator Adams: Extending welcome to Senior Class from Neches High School.

**S.R. 53** - By Senator Doggett: Extending congratulations to Mrs. Vada E. Callihan.

**S.R. 54** - By Senator Doggett: Extending congratulations to Dr. Buford Williams.

**S.R. 55** - By Senator Doggett: Extending congratulations to Mrs. Carrie Shepherd.

**S.R. 56** - By Senator Doggett: Extending congratulations to Miss Eileen O'Meara.

**S.R. 57** - By Senator Doggett: Extending congratulations to Russell E. Shrader.

**S.R. 58** - By Senator Kothmann: Extending congratulations to Mrs. Hazel Miller.

**S.R. 59** - By Senator Clower: Extending welcome to Class from Garland Christian Academy.

**S.R. 61** - By Senator Doggett: Extending congratulations to William E. Chesser.

**S.R. 62** - By Senators Doggett and Creighton: Extending congratulations to Edward C. Logsdon.

**S.R. 64** - By Senator Adams: Extending congratulations to City of Mabank.

**S.R. 67** - By Senator Adams: Extending congratulations to Newton High School Football Team.

#### **ADJOURNMENT**

On motion of Senator Aikin, the Senate at 11:22 o'clock a.m. adjourned until 10:30 o'clock a.m. Monday, January 27, 1975.